

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Document #

45

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Holowecki, et al

US Supreme Court # 06-1322

SDNY NO. 02cv3355

JUDGE: JSR

DATE: 9/17/ 2007

-v-

Federal Express Corporation  
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**INDEX TO THE RECORD ON APPEAL**

PREPARED BY (NAME) Nezam D.  
FIRM APPEALS SECTION  
ADDRESS UNITED STATES DISTRICT COURT, SOUTHERN DISTRICT OF NY  
500 PEARL STREET, NEW YORK, NEW YORK 10007  
PHONE NO. (212) 805-0636

DISTRICT COURT DOCKET ENTRIES -----

DOCUMENTS

DOC#

\_\_\_\_\_  
Clerk's Certificate

\_\_\_\_\_  
See Attached List of Numbered Documents

\_\_\_\_\_  
All Documents Included

( ☒ ) Original Record

( ☐ ) Supplemental Record

The record in the above entitled case was indexed to the U.S.C.A  
for the Second Circuit on the 17<sup>th</sup> Day of September, 2007.

**United States District Court for  
the Southern District of New York**

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Holowecki, et al

-V-

Federal Express Corporation  
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Date: 9/17/ 2007  
U.S. Supreme Court # 06-1322  
U.S.D.C. # 02cv3355  
03cv5086  
D.C. JUDGE LOS JR

**Clerk's Certificate**

I, J. Michael McMahon, Clerk of the Court of the United States District Court for the Southern District of New York, do hereby certify that the certified copy of the docket entries and the original filed papers numbered 1 Through 44, inclusive, constitutes the Original record on appeal in the above entitled proceedings except for the following missing documents:

**Date Filed**

**Document Description**


In Testimony Whereof, I have caused the seal of said Court to be hereunto affixed, at the City of New York, this 17<sup>th</sup> Day of September In this year of our Lord, Two Thousand and Seven, and the Independence of the United States this 232<sup>nd</sup> year.

J. Michael McMahon, Clerk

By   
Deputy Clerk

REOPEN, SUSPENSE

**U.S. District Court**  
**United States District Court for the Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:02-cv-03355-JSR**  
**Internal Use Only**

Holowecki, et al v. Federal Express  
Assigned to: Judge Jed S. Rakoff  
Demand: \$0  
Case in other court: U.S.C.A. 2nd Cir., 04-03376-cv  
Cause: 29:621 Job Discrimination (Age)

Date Filed: 04/30/2002  
Jury Demand: Plaintiff  
Nature of Suit: 442 Civil Rights: Jobs  
Jurisdiction: Federal Question

**Plaintiff**

**Paul Holowecki**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
Rose & Rose, P.C.  
1320 19th Street Northwest  
Suite 601  
Washington, DC 20036  
(202) 331-8555  
**LEAD ATTORNEY**

**David M. Wachtel**  
Rose & Rose, P.C.  
1320 19th Street Northwest  
Suite 601  
Washington, DC 20036  
(202) 331-8555  
**LEAD ATTORNEY**

**Linda Y. Sroufe**  
Rose & Rose, P.C.  
1320 19th Street Northwest  
Suite 601  
Washington, DC 20036  
(202) 331-8555  
**LEAD ATTORNEY**

**Plaintiff**

**Patricia Kennedy**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
**LEAD ATTORNEY**

**David M. Wachtel**  
(See above for address)  
**LEAD ATTORNEY**

**Linda Y. Sroufe**  
(See above for address)  
**LEAD ATTORNEY**

**Plaintiff**

**Donna M. Lewis**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
**LEAD ATTORNEY**

**David M. Wachtel**  
(See above for address)  
**LEAD ATTORNEY**

**Linda Y. Sroufe**  
(See above for address)  
**LEAD ATTORNEY**

**Plaintiff**

**Charles Moncalieri**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Phyllis Nelson**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Andy Kubicki**  
*individually and on behalf of all others similarly situated*  
*TERMINATED: 04/24/2006*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Elizabeth Tucker**  
*individually and on behalf of all others similarly situated*  
*TERMINATED: 01/26/2007*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Steven Almendarez**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Frank J. Martinez**  
*individually and on behalf of all others similarly situated*  
*TERMINATED: 04/24/2006*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Kelly L. Martinez**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Kevin McQuillan**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Kenneth G. Mutchler**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**George Robertson**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)  
*LEAD ATTORNEY*

**Linda Y. Sroufe**  
(See above for address)  
*LEAD ATTORNEY*

**Plaintiff**

**Nancy Thompicks**  
*individually and on behalf of all others similarly situated*

represented by **David L. Rose**  
(See above for address)  
*LEAD ATTORNEY*

**David M. Wachtel**  
(See above for address)



08/06/2002	8	MEMORANDUM OF LAW by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks in opposition to [4-1] motion for an Order dismissing the Complaint in its entirety purs. to Rule 12(b) of the FRCP and awarding Defendant its costs, disbursements and reasonable attorneys' fees for having to bring this motion and defend this frivolous lawsuit . (sac) (Entered: 08/12/2002)
08/13/2002	9	NOTICE OF MOTION by Federal Express for an Order, pursuant to Local Rule 1.3(c) granting Carl K. Morrison admission to appear pro hac vice on behalf of defendant FedEx Corp. . Return Date not indicated. Affirmation of Traycee Ellen Klein is attached. (tp) (Entered: 08/15/2002)
08/13/2002	10	AFFIDAVIT of Carl K. Morrison by Federal Express in support of [9-1] motion for an Order, pursuant to Local Rule 1.3(c) granting Carl K. Morrison admission to appear pro hac vice on behalf of defendant FedEx Corp. (tp) (Entered: 08/15/2002)
08/14/2002	11	NOTICE of FILING of signed Declaration of George Robertson by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks . (sb) (Entered: 08/16/2002)
08/14/2002	12	DECLARATION of George Robertson by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks. (sb) (Entered: 08/16/2002)
08/16/2002	13	ORDER granting defendant's [9-1] motion for the admission pro hac vice of Carl K. Morrison to appear on behalf of Federal Express Corp.. ( signed by Judge Lawrence M. McKenna ); Copies mailed. Document sent to attorney admissions clerk. (dle) Modified on 08/19/2002 (Entered: 08/19/2002)
08/21/2002	14	REPLY MEMORANDUM by Federal Express in support re: [4-1] motion for an Order dismissing the Complaint in its entirety purs. to Rule 12(b) of the FRCP and awarding Defendant its costs, disbursements and reasonable attorneys' fees for having to bring this motion and defend this frivolous lawsuit . (gf) (Entered: 08/26/2002)
08/21/2002	15	SUPPLEMENTAL DECLARATION of Carl K. Morrison by Federal Express Re: [4-1] motion for an Order dismissing the Complaint in its entirety purs. to Rule 12(b) of the FRCP and awarding Defendant its costs, disbursements and reasonable attorneys' fees for having to bring this motion and defend this frivolous lawsuit . (gf) (Entered: 08/26/2002)
08/23/2002	16	Letter filed by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks addressed to Clerk of Court from David L. Rose, dated 8/22/02, re: Defendant's pending Motion to Dismiss. (sb) (Entered: 08/28/2002)
08/29/2002	17	Memo endorsed on motion; granted. Mr. David L. Rose is admitted pro hac vice . ( signed by Judge Lawrence M. McKenna ); Copies mailed. (Sent to the Attorney Admissions Clerk). (kw) (Entered: 09/04/2002)
10/09/2002	18	ORDER; For the reasons set forth in this order the court grants Federal Express's [4-1] motion for an Order dismissing the plaintiffs' ADEA claims, without leave to replead. Because the Court dismissed plaintiffs' federal claims, it declines to exercise jurisdiction over plaintiffs state law claims. Complaint dismissed. ( signed by Judge Lawrence M. McKenna ); Copies mailed to counsel. Document sent to judgment clerk. (dle) Modified on 10/23/2002 (Entered: 10/15/2002)
10/23/2002	19	JUDGMENT. ORDERED, ADJUDGED AND DECREED: that for the reasons stated in the Court's Memorandum and Order dtd 10/8/02, def't's motion to dismiss plttf's ADEA claims is hereby granted without leave to replead and the Court declines to exercise jurisdiction over the state law claims. ( Signed by James M. Parkison, Clerk of Court ); Mailed copies and notice of right to appeal. Entered On Docket: 10/25/02. (kg) (Entered: 10/25/2002)
10/23/2002		Case closed. (kg) (Entered: 11/04/2002)
10/24/2002	20	NOTICE OF MOTION by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks to alter or amend the Memorandum and Order of 10/9/02 . No Return Date. (gq) (Entered: 10/31/2002)
10/24/2002	21	MEMORANDUM OF LAW by Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Phyllis Nelson, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks in support of [20-1] motion to alter or amend the Memorandum and Order of 10/9/02. (gq) (Entered: 10/31/2002)
11/07/2002	22	RESPONSE by Federal Express to [20-1] motion to alter or amend the Memorandum and Order of 10/9/02 (db) (Entered: 11/14/2002)
11/19/2002	23	REPLY MEMORANDUM by Paul Holowecki, et al. in support re: [20-1] motion to alter or amend the Memorandum and Order of 10/9/02 (sac) (Entered: 11/21/2002)



05/04/2004	24	ORDER re: [20] Motion to Amend/Correct filed by Phyllis Nelson, Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks. Motion denied. So Ordered. (Signed by Judge Lawrence M. McKenna on 5/4/04) (jco, ) (Entered: 05/05/2004)
06/04/2004	25	NOTICE OF APPEAL from [24] Order,. Document filed by Steven Almendarez, Paul Holowecki, Patricia Kennedy, Andy Kubicki, Donna M. Lewis, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Charles Moncalieri, Kenneth G. Mutchler, Phyllis Nelson, George Robertson, Nancy Thompicks, Elizabeth Tucker. Filing fee \$ 255.00, receipt number E511815. Copies of Notice of Appeal mailed to Attorney(s) of Record: Carl Morrison, Esq.. (dt, ) (Entered: 06/14/2004)
06/14/2004		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: [25] Notice of Appeal,. (dt, ) (Entered: 06/14/2004)
06/14/2004		Transmission of Notice of Appeal to the District Judge re: [25] Notice of Appeal,. (dt, ) (Entered: 06/14/2004)
09/14/2004	26	USCA SCHEDULING ORDER as to [25] Notice of Appeal, filed by Phyllis Nelson, Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks USCA Case Number 04-3376-cv. Roseann B. MacKechnie, Clerk USCA. Certified: 8/30/04. Appeal Record due by 10/5/2004. Appellant Brief due by 10/12/2004. Appellee Brief due by 11/12/2004. (tp, ) (Entered: 09/14/2004)
09/14/2004		USCA Case Number 04-3376-cv from the U.S.C.A. 2nd Cir. assigned to [25] Notice of Appeal, filed by Phyllis Nelson, Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks. (tp, ) (Entered: 09/14/2004)
11/03/2004	27	Appeal Record Sent to USCA (Index). Notice that the Original index to the record on Appeal for [25] Notice of Appeal, filed by Phyllis Nelson, Paul Holowecki, Patricia Kennedy, Donna M. Lewis, Charles Moncalieri, Andy Kubicki, Elizabeth Tucker, Steven Almendarez, Frank J. Martinez, Kelly L. Martinez, Kevin McQuillan, Kenneth G. Mutchler, George Robertson, Nancy Thompicks USCA Case Number 04-3376-cv, 3 Copies of the index, Certified Clerk Certificate and Certified Docket Sheet were transmitted to the U.S. Court of Appeals. (pr, ) (Entered: 11/03/2004)
08/25/2005		Appeal Record Sent to USCA (File). Indexed record on Appeal Files for [25] Notice of Appeal, filed by Phyllis Nelson,, Paul Holowecki,, Patricia Kennedy,, Donna M. Lewis,, Charles Moncalieri,, Andy Kubicki,, Elizabeth Tucker,, Steven Almendarez,, Frank J. Martinez,, Kelly L. Martinez,, Kevin McQuillan,, Kenneth G. Mutchler,, George Robertson,, Nancy Thompicks, USCA Case Number 04-3376-cv, were transmitted to the U.S. Court of Appeals.Files sent to USCA on 8/27/2005. (nd, ) (Entered: 08/25/2005)
03/15/2006	28	NOTICE OF CASE REASSIGNMENT to Judge Michael B. Mukasey. Judge Lawrence M. McKenna no longer assigned to the case. (lb, ) (Entered: 03/16/2006)
03/15/2006		Mailed notice to the attorney(s) of record. (lb, ) (Entered: 03/16/2006)
04/24/2006	29	NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P.: Plaintiff Andy Kubicki gives notice that he is hereby dismissed from this matter without prejudice purs. to Rule 41 of the FRCP. (Signed by Judge Michael B. Mukasey on 4/21/06) (dle, ) (Entered: 04/24/2006)
04/24/2006	30	NOTICE of Voluntary Dismissal pursuant to Rule 41(a)(1) of the F.R.C.P.: Plaintiff, Frank Martinez, gives notice that he is hereby dismissed from this matter without prejudice purs. to Rule 41 of the FRCP. (Signed by Judge Michael B. Mukasey on 4/21/06) (dle, ) (Entered: 04/24/2006)
11/27/2006	31	MANDATE of USCA (Certified Copy) as to [25] Notice of Appeal, filed by Phyllis Nelson,, Paul Holowecki,, Patricia Kennedy,, Donna M. Lewis,, Charles Moncalieri,, Andy Kubicki,, Elizabeth Tucker,, Steven Almendarez,, Frank J. Martinez,, Kelly L. Martinez,, Kevin McQuillan,, Kenneth G. Mutchler,, George Robertson,, Nancy Thompicks, USCA Case Number 04-3376-cv. Ordered, Adjudged and Decreed that the judgment of the District Court is REVERSED in part, VACATED in part, and REMANDED for further proceedings in accordance with the opinion of this court. Thomas Asreen, Clerk USCA. Issued As Mandate: 11/22/2006. (nd, ) (Entered: 11/27/2006)
11/27/2006		Transmission of USCA Mandate/Order to the District Judge re: 31 USCA Mandate,, (nd, ) (Entered: 11/27/2006)
11/27/2006		Costs Taxed as to 31 USCA Mandate,, USCA Case Number 04-3376-cv. in the amount of \$1989.52. Docketed as Judgment #06,2515 on 11/29/2006 in favor of Holowecki, et al against Federal Express. (nd, ) (Entered: 11/29/2006)
12/06/2006	33	NOTICE OF CASE REASSIGNMENT to Judge Jed S. Rakoff. Judge Michael B. Mukasey is no longer assigned to the case. (lb, ) (Entered: 12/07/2006)
12/06/2006		Mailed notice to the attorney(s) of record. (lb, ) (Entered: 12/07/2006)
12/08/2006	33	NOTICE OF COURT CONFERENCE; Conference set for 12/15/06, at the U.S. Courthouse, 500 Pearl Street, New York, NY in Courtroom 14-B at 3:00 p.m. (Signed by Judge Jed S. Rakoff on 12/8/06) (ae, ) (Entered: 12/11/2006)
12/15/2006		Minute Entry for proceedings held before Judge Jed S. Rakoff : Interim Pretrial Conference held on 12/15/06. The court scheduled another conference for 12/20/06 at 11:30 a.m. (ae, ) (Entered: 01/09/2007)



12/21/2006	334	CIVIL CASE MANAGEMENT PLAN: Discovery due by 5/11/2007. Final Pretrial Conference set for 6/11/2007 04:00 PM before Judge Jed S. Rakoff. Ready for Trial by 6/11/2007. (Signed by Judge Jed S. Rakoff on 12/20/2006) (jmi, ) (Entered: 12/22/2006)
01/26/2007	335	NOTICE of Voluntary Dismissal; that plaintiff Elizabeth Tucker, gives notice that she is hereby dismissed from this matter without prejudice pursuant to Rule 41 of the F.R.C.P. (Signed by Judge Jed S. Rakoff on 1/24/07) (pl) (Entered: 01/29/2007)
02/12/2007	336	CONSENT TO JOIN ACTION. Document filed by John Demaio.(ae) (Entered: 02/27/2007)
03/05/2007	337	MOTION for Edward J. Efkan to Appear Pro Hac Vice. Affidavit of Christopher Carlsen, Esq. and Affidavit of Edward J. Efkan, Esq. included. Document filed by Federal Express Corporation.(jar) (Entered: 03/06/2007)
03/06/2007	3	CASHIERS OFFICE REMARK on [37] Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/05/2007, Receipt Number 607828. (jd) (Entered: 03/06/2007)
03/09/2007	338	ORDER granting [37] Motion for Edward J. Efkan to Appear Pro Hac Vice. SO ORDERED. (Signed by Judge Jed S. Rakoff on 3/9/2007) (jar) (Entered: 03/14/2007)
04/04/2007	339	MOTION for an Order, purs. to Local Civil Rule 1.3(c) for Thomas W. Southerland to Appear Pro Hac Vice. Document filed by Federal Express Corporation.(tro) (Entered: 04/05/2007)
04/13/2007	3	CASHIERS OFFICE REMARK on [39] Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 04/04/2007, Receipt Number 610827. (jd) (Entered: 04/13/2007)
05/04/2007	340	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION to Sever <i>Notice of Motion to Sever Trials</i> . Document filed by Federal Express Corporation.(Carlsen, Christopher) Modified on 5/7/2007 (lb). (Entered: 05/04/2007)
05/04/2007	341	FILING ERROR - ELECTRONIC FILING IN NON-ECF CASE - MOTION for Summary Judgment <i>Notice of Motion for Summary Judgment</i> . Document filed by Federal Express Corporation.(Carlsen, Christopher) Modified on 5/7/2007 (lb). (Entered: 05/04/2007)
05/07/2007	3	***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF CASE ERROR. Note to Attorney Christopher Carlsen to MANUALLY RE-FILE Document MOTION to Sever Notice of Motion to Sever Trials and MOTION for Summary Judgment, Document No. 40-41. This case is not ECF. (lb) (Entered: 05/07/2007)
05/31/2007	342	Order Admitting Thomas W. Southerland, Esq. pro hac vice: purs. to Local Rule 1.3(c) of the Local Rules of the USDC/SDNY, Thomas W. Southerland, Esq. is hereby admitted pro hac vice to the bar of this court for the purposes of representing dft Federal Express Corporation in this litigation. (Signed by Judge Jed S. Rakoff on 5/29/07) (dle) (Entered: 06/04/2007)
05/31/2007	3	Transmission to Attorney Admissions Clerk. Transmitted re: [42] Order on Motion to Appear Pro Hac Vice,, to the Attorney Admissions Clerk for updating of Attorney Information. (dle) (Entered: 06/04/2007)
06/08/2007	343	ANSWER to Complaint. Document filed by Federal Express Corporation.(jar) (Entered: 06/11/2007)
06/19/2007	3	Minute Entry for proceedings held before Judge Jed S. Rakoff : Telephone Conference held on 6/19/2007. (tro) (Entered: 06/28/2007)
06/25/2007	344	ORDER PLACING CASE ON SUSPENSE: The Supreme Court having recently granted a Petition for Writ of Certiorari in this matter, the Clerk of the Court is hereby directed to place this case on the Court's suspense docket. (Signed by Judge Jed S. Rakoff on 6/20/2007) (jpo) (Entered: 06/28/2007)
07/25/2007	3	Appeal Record Returned. Indexed record on Appeal Files for Transmission of USCA Mandate/Order to District Judge, 31 USCA Mandate,, Appeal Record Sent to USCA - File, USCA Case Number 04-3376, returned from the U.S. Court of Appeals. (dt) (Entered: 08/07/2007)